

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Kathryn Boyles

Hector Rivera

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UNITED STATES DISTRICT COURT

for the

Eastern District of Michigan

United States of America

v.

Cipriano ACOSTA-PEREZ

Case: 2:25-mj-30350

Case No. Assigned To : Unassigned

Assign. Date : 6/2/2025

Description: CMP USA V.
ACOSTA-PEREZ (DJ)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 21, 2025 in the county of Wayne in theEastern District of Michigan, the defendant(s) violated:

Code Section

8 U.S.C. 1326(a)

Offense Description

Unlawful Re-Entry Following Removal from the United States

This criminal complaint is based on these facts:

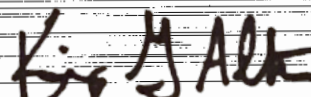
On or about May 21, 2025, in the Eastern District of Michigan, Southern Division, Cipriano ACOSTA-PEREZ, an alien from Mexico, was found in the United States after having been denied admission, excluded, deported, and removed there from on or about April 27, 2011, and not having obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a).

☒ Continued on the attached sheet.

 Complainant's signature

Hector Rivera, Deportation Officer

Printed name and title

Sworn to before me and signed in my presence
and/or by reliable electronic means.

 Judge's signature
Date: June 2, 2025City and state: Detroit, MI

Kimberly Altman, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

I, Hector Rivera, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE), Enforcement and Removal Operations (ERO) of the United States Department of Homeland Security (DHS) at the Detroit Field Office. I have been employed in this capacity since February 2007. I am currently assigned to the Detroit ICE-ERO Fugitive Operations team.
2. This affidavit is submitted for the limited purpose of establishing probable cause in support of a criminal complaint and an arrest warrant for Cipriano ACOSTA-PEREZ, an alien who has previously been removed from the United States on or about April 27, 2011, at or near Calexico, California, and was thereafter found in the United States on or about May 21, 2025, without having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission, all in violation of Title 8, United States Code, Section 1326(a).
3. The information contained in this affidavit is based upon my personal knowledge and observations, information provided by other law enforcement personnel to include ICE ERO Deportation Officers, and database record checks. I have also reviewed records from the official immigration file and system automated data relating to ACOSTA-PEREZ. I have not included every fact known to law enforcement related to this investigation.
4. ACOSTA-PEREZ is a forty-seven-year-old citizen and a native of Mexico who last entered the United States on an unknown date, at an unknown place, without being inspected and admitted or paroled by an immigration officer.
5. On or about May 27, 2002, United States Border Patrol (USBP) agents encountered ACOSTA-PEREZ at or near Wellton, Arizona and voluntary returned him back to Mexico on the same day.

6. On August 26, 2006, the Detroit Police Department arrested ACOSTA-PEREZ for a misdemeanor traffic offense. Records checks do not reflect a disposition on the case.
7. On or about December 4, 2009, USBP agents encountered ACOSTA-PEREZ at or near Detroit, Michigan and served him with a Form I-862, Notice to Appear. On August 12, 2010, an immigration judge in Detroit, Michigan granted ACOSTA-PEREZ voluntary departure from the United States to Mexico on or before December 10, 2010. On December 8, 2010, ACOSTA-PEREZ voluntary departed the United States to Mexico.
8. On or about April 24, 2011, USBP agents encountered ACOSTA-PEREZ at or near Falfurrias, Texas and served him with a Form I-860, Expedited Removal. On April 27, 2011, ICE removed ACOSTA-PEREZ to Mexico via Calexico, California.
9. On May 21, 2025, the ICE/HSI Task Force Team traveled to the area of Wesson Street and Saint Hedwig Street in Detroit, Michigan in search of ACOSTA-PEREZ, who was the target of an approved Field Operations Worksheet. At approximately 5:30 a.m., a male subject matching the physical description of ACOSTA-PEREZ departed the residence in a black-colored SUV. Officers initiated a vehicle stop at or near Vinewood and Michigan Avenue in Detroit, Michigan to identify the male based on the reasonable suspicion that this individual matched the description of the target seen exiting the residence. Officers identified themselves, contacted the driver and requested identification.
10. ACOSTA-PEREZ stated his name to be Cipriano ACOSTA-PEREZ, and stated he is a citizen and national of Mexico. Officers placed ACOSTA-PEREZ under arrest based on probable cause that he was an alien who had unlawfully reentered the United States after having been previously removed.
11. Deportation Officers transported ACOSTA-PEREZ to the Detroit Field Office for processing. The arrest and subsequent detention of ACOSTA-PEREZ was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation

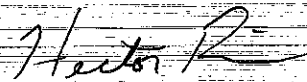
of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.

12. ACOSTA-PEREZ's fingerprints and photograph were captured and searched in the ICE/FBI systems. The fingerprints returned with a positive match for Cipriano ACOSTA-PEREZ, a native and citizen of Mexico who had previously been removed from the United States.

13. A review of ACOSTA-PEREZ's immigration file, record checks, and queries in the U.S. Department of Homeland Security databases confirmed that ACOSTA-PEREZ did not obtain the permission or express consent from the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States following his removal on April 27, 2011.

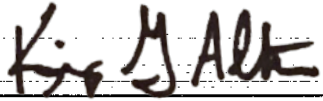
14. On May 21, 2025, ICE-ERO served ACOSTA-PEREZ with Form I-871, Notice of Intent/Decision to Reinstate Prior Order.

15. Based on the above information, I believe there is probable cause to conclude that Cipriano ACOSTA-PEREZ is an alien who has previously been removed from the United States on or about April 27, 2011, at or near Calexico, California and was thereafter found in the United States on or about May 21, 2025 in the Eastern District of Michigan, without first having obtained the express consent or permission of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Section 1326(a).



Hector Rivera, Deportation Officer
Immigration and Customs Enforcement

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Kimberly Altman
United States Magistrate Judge

June 2, 2025